



United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

**MEMO ENDORSED**

May 21, 2020

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/21/2020

**BY ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Tom Shin*, 18 Cr. 577 (VEC)**

Dear Judge Caproni:

On May 14, 2020, Tom Shin, the defendant, filed a motion for a reduction of his term of imprisonment pursuant to Title 18, United States Code, Section 3582(c). The Court directed the Government to file a response by May 22, 2020.

As the defense motion notes, currently, the defendant is eligible for release to a halfway house on September 23, 2020. The Government has learned from Bureau of Prison ("BOP") staff at FCI Fort Dix that the defendant's eligibility for prerelease custody to home confinement at an earlier date is currently under consideration, pursuant to the BOP's authority under Title 18, United States Code, Section 3624(c) and the CARES Act, and that a determination is likely in the near future.

The Government, therefore, respectfully requests an extension of one week, until May 29, 2020, to respond to the defendant's motion, to allow additional time for the BOP to make a determination regarding home confinement, which may be relevant to the parties' positions and the Court's evaluation of the instant motion.

I have conferred with defense counsel, Amy Gallicchio, who consented to this request.

Application GRANTED.

SO ORDERED.

HON. VALERIE CAPRONI 5/21/2020  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By:   
Brett M. Kalikow  
Assistant United States Attorney  
(212) 637-2220

cc: Amy Gallicchio, Esq. (by ECF)